

Notice of Allowability

Application No.

09/842,533

Examiner

Ahshik Kim

Applicant(s)

WINNETT, STEVEN

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE (4/16/04).

2. ☒ The allowed claim(s) is/are 1,5-7,9-33.

3. ☐ The drawings filed on _____ are accepted by the Examiner.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some* c) ☐ None of the:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

(b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 2/6/03.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 16, 2004 has been entered.

Amendment

2. Receipt is acknowledged of the amendment filed on April 16, 2004. In the amendment claims 2-4 and 8 were canceled; claims 5-7, 9, 15, 19, and 20 were amended; and claims 21-33 were newly added. Currently, claims 1, 5-7, and 9-33 remain for examination.

Examiner's Amendment

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was granted during a telephone interview with Mr. Douglas Hamilton (Reg. No. 47,629) on April 28, 2004 (see enclosed interview summary).

IN THE CLAIMS:

1. (previously presented) A method of verifiable voting comprising:
receiving election selections from a voter;
producing a receipt representative of the election selections, the receipt having a unique
receipt number; and
publishing election results, the election results including the election selections and the
unique receipt number.

2. (cancelled)

3. (cancelled)

4. (cancelled)

5. (previously presented) The method of claim 1 wherein producing a receipt further
comprises:
printing the receipt at a polling place.

6. (previously presented) The method of claim 1 wherein producing a receipt further
comprises:
printing the receipt in a voter booth.

7. (previously presented) The method of claim 1 wherein producing the receipt further comprises:

listing a receipt number and election selections on an electronic medium.

8. (cancelled)

9. (previously presented) The method of claim 1 wherein producing the receipt further comprises:

mailing a printed receipt in response to a mail in ballot.

10. (previously presented) The method of claim 1 wherein receiving election selections further comprises:

entering a voting station where the voter station is a telephone connection to a polling place; and

responding to election choices transmitted over the telephone connection to make election choices.

11. (previously presented) The method of claim 1 wherein publishing election results further comprises:

printing election results in a printed media.

12. (previously presented) The method of claim 1 wherein the publishing election results further comprises:

printing the election results; and

posting the election results in a public place.

13. (currently amended) The method of claim 1 wherein the publishing election results further comprises:

posting the election results to an electronic bulletin board.

14. (previously presented) The method of claim 1 wherein the publishing election results further comprises:

calling a telephone access system having a means of entering the receipt number, the system also having a means of responding to an entered receipt number;

entering the receipt number; and

receiving a response for the election selections which correspond to the receipt number.

15. (previously presented) A computer program stored on a computer-readable medium, the computer program comprising instructions that cause a computer to:

output election choices via a user interface accessible to a voter;

receive election selections;

produce a receipt representative of the election selections, the receipt having a unique receipt number, wherein the receipt is accessible by the voter; and

publish election results, the election results including election selections and the unique receipt number.

16. (previously presented) The computer program of claim 15 further comprising instructions to cause the computer to:

output the election results to an electronic media, the election results including the election selections and the unique receipt number.

17. (previously presented) The computer program of claim 16 wherein the electronic media includes an electronic bulletin board.

18. (previously presented) The computer program of claim 16 wherein the election results which are output are used for publication.

19. (previously presented) The computer program of claim 15 wherein receiving the election selections further comprises instructions to cause the computer to:
determine whether all election selections are completed, and if the election selections are completed then produce the receipt; and

determine whether a voter has indicated completion of the selection process, and if the voter indicates completion produce the receipt.

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20: (previously presented) A computer program product on a computer-readable medium for providing a verifiable election, comprising:

instructions for a computer for outputting election choices via a first user interface accessible to a voter;

instructions for a computer for receiving election selections;

instructions for a computer for producing a receipt for the election selections, the receipt having a unique receipt number; and

instructions for a computer for outputting election results via a second interface accessible to the voter.

21. (previously presented) A method for providing transparent election results, the method comprising:

receiving an election selection from a voter;

producing a receipt indicating the election selection, wherein the receipt includes a receipt number; and

displaying an election result, wherein the election result includes an indication of the election selection from the voter and the receipt number, wherein the election selection from the voter and the corresponding receipt number can be used by the voter to determine that the election selection from the voter was properly counted.

22. (previously presented) A method for providing transparent election results, the method comprising:

receiving an election selection from a voter;
producing a receipt indicating the election selection, wherein the receipt includes
a receipt number; and
displaying an election result, wherein the election result includes an indication of the
election selection from the voter and the receipt number, and wherein the election result is
accessible to the voter to determine that the election selection of the voter was received.

23. (previously presented) The method of claim 22, wherein the election selection from
the voter and the receipt number are further used to determine that the election selection of the
voter was properly counted.

24. (previously presented) The method of claim 22, wherein the receipt is provided to the
voter at a voting location.

25. (previously presented) The method of claim 22, wherein the receipt is printed at a
polling location used by the voter.

26. (previously presented) The method of claim 22, wherein the receipt is printed in a
voting booth utilized by the voter.

27. (previously presented) The method of claim 22, wherein displaying the election
results includes an operation selected from a group consisting of printing the election results,

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posting the election results in a public place; printing the election results in an electronic format, and posting the election results to an electronic bulletin board.

28. (previously presented) A system for minimizing election fraud, the system comprising:

a computer readable medium, wherein the computer readable medium includes instructions executable by a computer processor to:

- display election choices;
- receive election selections from a voter;
- produce a receipt representative of the election selections, wherein the receipt includes a unique receipt number, and wherein the receipt is accessible by a recipient; and display election results, wherein the election results include election selections corresponding to the unique receipt number and to an overall election tabulation, and wherein the displayed election results are accessible by the recipient.

29. (previously presented) A method for providing transparent election results, the method comprising:

- receiving an election selection from a voter;
- producing a receipt indicating the election selection, wherein the receipt includes a receipt number;
- providing the receipt to a recipient; and

displaying an election result via a user interface accessible to the recipient, wherein the election result includes an indication of the election selection from the voter and the receipt number corresponding to the voter, wherein the election selection from the voter and the receipt number corresponding to the voter can be used to determine that the election selection from the voter was properly counted.

30. (previously presented) The method of claim 1, wherein the election results include the election selections corresponding to the receipt number and to an overall election tabulation, and wherein the voter can access the published election results to verify that the election selections were received and properly incorporated in the overall election tabulation.

31. (new) The method of claim 1, wherein the method further comprises:
providing a computer, wherein the computer is operable to receive the election selections.

32. (previously presented) The method of claim 1, wherein the computer is further operable to provide election choices, and wherein the election selections are a subset of the election choices.

33. (previously presented) The method of claim 1, wherein the method further includes providing the receipt to the voter.

Allowable Subject Matter

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4. Claims 1, 5-7, and 9-33 are allowed.
5. The following is an examiner's statement of reasons for allowance: the claims are directed a system and the method for verifying voting results. As indicated in previous Office Actions, there exist many prior arts disclosing voting system to ensure secrecy and verifiability generally attributed to voting process. However, the cited references, taken alone or in combinations, fail to suggest or teach a voting method wherein a voter is provided with a receipt comprising a unique receipt number and the voter's election selections, and publishing election results with the unique receipt number as set forth in the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Ahshik Kim* whose telephone number is (571)272-2393. The examiner can normally be reached between the hours of 6:00AM to 3:00PM Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (571)272-2398. The fax number directly to the Examiner is (571)273-2393. The fax phone number for this Group is (703)872-9306.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [ahshik.kim@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly

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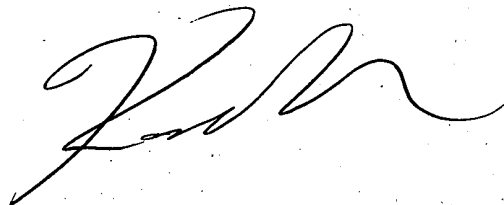
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set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.



Ahshik Kim
Patent Examiner
Art Unit 2876
April 28, 2004



KARL D. FRECH
PRIMARY EXAMINER

Versions with markings to show changes made

6. (previously presented) The method of claim 1 wherein producing a receipt further comprises:

printing the receipt in a voter booth.

13. (currently amended) The method of claim 2 1 wherein the publishing election results further comprises:

posting the election results to an electronic bulletin board.